IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY EIGHTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 19257 of 1999

Between:

S.K. Zabeer S/o Abdul Wahab
R/o Guntur District.

..... PETITIONER

AND

Controller of Legal Metrology
PWD Buildings No.209 Gandhi Nagar, Hyderabad.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, Order or Direction and more particularly one in the nature of WRIT OF MANDAMUS declaring the Circular Memo No. 14285/L1/89 dated 25/3/1998 as ultra Vires, illegal, arbitrary and void; and consequently declare that the Respondent's action in not allowing the Petitioner to undergo the test for qualifying himself for obtaining license under the A.P. Weights and Measures (Enforcement) Act, 1985 and the Rules made thereunder as without jurisdiction, illegal and arbitrary; and to direct the Respondents to allow the Petitioner to appear for the test necessary to qualify himself to obtain license for repairing electronic weighing machines; and to pass such other or further orders deemed just and proper.

Counsel for the Petitioner:MR.MOHD.MOIN AHMED QUADRI
(not present)

Counsel for the Respondent No.: GP FOR CIVIL SUPPLIES

The Court made the following :

ORDER:

The present writ petition is filed questioning the circular memo No. 14285/L1/89 dated 25-3-1998 and action of the respondent in not allowing the petitioner to undergo qualifying test for obtaining licence under the A.P. Weights and Measures (Enforcement) Act,. 1985 and Rules made thereunder.

Learned counsel for petitioner called absent. Learned Government Pleader for Civil Supplies submitted that the issue raised in the present writ petition is squarely covered by the judgment of this Court in W.P.No.24156 of 1996 dated 20-4-1999.

In the circumstances, following the ratio laid down in W.P.No. 24156 of 1996, the present writ petition is dismissed for the same and similar reasons. No costs.

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N.V.RAMANA,J

28-6-2005

TVK

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1..The Controller of Legal Metrology
PWD Buildings No.209 Gandhi Nagar, Hyderabad.

2) 2 CD copies

3) 2 CCs to Government Pleader for Civil Supplies, High Court of A.P. Buildings, Hyderabad (OUT)

*Form-NIC-OGS/WP{**JCS**}*